

IN THE UNITED STATES RECEIVING OFFICE

Applicant : Dinah Wen-Yee Sah et al.
Serial No. : 10/553,710
Filed : February 27, 2007
Title : POLYMER-CONJUGATED GLYCOSYLATED NEUBLASTIN

MAIL STOP PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

In response to the Notification of Defective Response mailed March 17, 2010, applicants submit the following remarks.

The Notification asserted that the Sequence Listing previously submitted does not comply with the requirements of 37 CFR 1.822 and/or 1.823 and that a substitute sequence listing is required. In addition, a "Letter Regarding a New Notice and/or the Status of the Application" was also mailed on March 17, 2010, and described itself as a "371 Withdrawal Notice."

As an initial matter, compliance with the Office's sequence listing requirements is not a requirement of 35 USC 371. Therefore, the 371 completion date of February 27, 2007 that was previously assigned to this application may not be altered by the issuance of the present sequence listing notice or the response to same. In a telephone conference on April 15, 2010, with Patricia Booker (the signatory of the Notification), Ms. Booker agreed that resolution of the sequence listing issue should not and will not change the 371 completion date of February 27, 2007.

With respect to the substance of the request for a substitute sequence listing, applicants have reviewed the sequence listing previously filed and concluded that it complies with the requirements of 37 CFR 1.822 and 1.823. Furthermore, in a telephone conversation of April 16, 2010, Mark Spencer of the Office informed the undersigned that the current sequence listing on file complies with the rules and will be accepted. Furthermore, Mr. Spencer stated that

CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: April 16, 2010

Applicant : Dinah Wen-Yee Sah et al.
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Page : 2 of 2

Attorney's Docket No.: 13751-0035US1 / A193 US 002

the Notification will be vacated. Consistent with Mr. Spencer's assurances, the image file wrapper for the application contains an entry on April 16, 2010 entitled "CRF Is Good Technically / Entered into Database." The document accompanying this entry in the image file wrapper states that the sequence listing was accepted. As a result, no revised sequence listing is required and none is included with this response.

No fee is believed due. However, if a fee is due, please apply any charges (or credits) to Deposit Account No. 06-1050, referencing Attorney Docket No. 13751-0035US1.

Respectfully submitted,

Date: April 16, 2010

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